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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,751	08/31/2001	Pecyush Ranjan	INFS117874	1980

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EXAMINER

AKINTOLA, OLABODE

ART UNIT	PAPER NUMBER
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3691

MAIL DATE	DELIVERY MODE
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07/02/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/944,751

Applicant(s)

RANJAN ET AL.

Examiner

Olabode Akintola

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-7, 9-11, 13-27, 29-37, 39-46 and 49-50 are rejected under 35 U.S.C. 102(e) as being anticipated by Levchin et al (USPN 7089208) ("Levchin").

Re claims 1, 19, 20 and 31: Levchin teaches a method (including a system and computer readable medium having executable instructions for performing said method) for facilitating the processing of a transaction including the transfer of value between a first and a second user, said second user associated with a telephonic identifier (abstract), comprising: obtaining a request from said first user to transfer a quantity of value to said second user, wherein said request includes said telephonic identifier associated with said second user (abstract, col. 2, lines 20-22); accessing an account corresponding to said first user (col. 1, lines 59-61 and col. 4, lines 32-47); and transferring said quantity of value from said account corresponding to said first user to an account corresponding to said telephonic identifier associated with said second user (col. 7, lines 37-45).

Re claims 2 and 32: Levchin teaches obtaining a request for funding said first user account with

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said quantity of value to enable the transfer of said quantity of value (col. 2, lines 5-11; col. 14, lines 29-34).

Re claims 3 and 33: Levchin teaches wherein said quantity of value includes a monetary amount (col. 2, lines 41-42).

Re claims 4 and 34: Levchin teaches wherein said quantity of value includes a line of credit (col. 2, lines 41-43).

Re claims 5 and 35: Levchin teaches wherein if said telephonic identifier associated with said second user does not correspond to an account, creating an account based on said telephonic identifier of said second user (col. 7, lines 22-27; col. 2, lines 33-35).

Re claims 6 and 36: Levchin teaches notifying said second user of the transfer of said quantity of value (col. 1, lines 57-61).

Re claims 7 and 37: Levchin teaches wherein said second user is notified of the transfer via a group of notification means associated with said telephonic identifier of said second user consisting essentially of a telephone call notification, a short messaging service notification, an electronic mail notification, and a pager notification (col. 13, lines 6-7).

Re claims 9 and 39: Levchin teaches notifying said first user of the transfer of said quantity of

value (col. 1, lines 57-61).

Re claims 10: Levchin teaches wherein accessing an account includes accessing a remote account corresponding to said first user (col. 2, lines 5-11; col. 14, lines 29-34).

Re claims 11 and 40: Levchin teaches wherein accessing an account includes accessing a remote account associated with said telephonic identifier of said second user (col. 2, lines 5-45).

Re claims 13 and 41: Levchin teaches wherein said quantity of value is one of a group consisting essentially of coupons, vouchers, point, rebates, services, monetary funds, credits, and personal goods (col. 2, lines 39-45).

Re claims 14 and 42: Levchin teaches wherein said request includes criteria that must be satisfied prior to the transfer of value (col. 4, lines 11-13).

Re claims 15 and 43: Levchin teaches wherein said criteria is date specific (col. 4, lines 11-13).

Re claims 16 and 44: Levchin teaches wherein said criteria is based on an occurrence of an event (col. 12, lines 23-35).

Re claims 17, 45, 49 and 50: Levchin teaches wherein said first user is associated with an identifier, said identifier of said first user being associated with a wireless telephone or a wireline

telephone (abstract, col. 3, lines 46-53).

Re claims 18: Levchin teaches wherein the transfer between said accounts occurs via a communication to a service provider, said service provider transferring said value between said accounts (col. 4, lines 44-46).

Re claim 21: See claims 1 and 19 analyses, supra. Levchin further discloses carrier interface (col. 2, lines 62-63)

Re claim 22: See claim 5 analysis, supra.

Re claim 23: See claim 2 analysis, supra.

Re claim 24: See claim 3 analysis, supra.

Re claim 25: See claim 4 analysis, supra.

Re claim 26: See claim 6 analysis, supra.

Re claim 27: See claim 9 analysis, supra.

Re claim 29: See claim 13 analysis, supra.

Re claim 30: See claim 17 analysis, supra.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 8, 12, 28, 38 and 47-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Levchin.

Re claims 8 and 38: Levchin does not explicitly teach preselection of notification. Official notice is taken that it is old and well known to provide choices to customers in the communication means. For example, it is old and common for customers to receive financial information from a chosen communication means (internet access, paper statements, or telephone). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Levchin to

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include this feature. One would have been motivated to do so in order to increase customer flexibility and satisfaction.

Re claims 12, 28, 47 and 48. Levchin does not explicitly teach the use of proxy identifier. Official notice is taken that it is old and well known to use proxy identifier in directories. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Levchin to include this feature. One would have been motivated to do so in order to protect the customer's real identifiers by using identifiers such as aliases.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olabode Akintola whose telephone number is 571-272-3629. The examiner can normally be reached on M-F 8:30AM -5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OA



HANI M. KAZIMI
PRIMARY EXAMINER